

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	No. 05-10175-WGY
Plaintiff,	)	
	)	DEFENDANT'S REQUESTED VOIR
v.	)	DIRE
	)	
NADINE GRIFFIN,	)	
Defendant.	)	

TO THE HONORABLE UNITED STATES DISTRICT JUDGE OF SAID COURT:

COMES NOW, Nadine Griffin, by and through her attorney of record, and propounds the following questions to be asked of the Jury Panel in this case during the selection of same by the United States Attorney, the counsel for Defendant, and the District Court:

1. Has any member of this Panel been employed by any agency or branch of a government, either federal, state, county or city?

1.1 If yes, what is the nature of the position held with said governmental agency or branch?

1.2 If yes, what are the assigned tasks given to said individual by said governmental agency or branch?

1.3 If yes, was the job obtained through the Civil Service Selection process, by political appointment, or by some other means?

1.4 If political, how long a term of employment has the individual experienced?

1.5 How much of the individual's working life has been spent in the employ of said governmental agency or branch, or of any other governmental agency or branch?

2. Does anyone have a relative or spouse who is employed in a governmental position with an agency or branch of the government, whether federal, state, county or city?

2.1 If yes, please explain (see 1.1 through 1.5).

3. Has anyone ever been a peace officer for federal, state or local government?

3.1 If yes, please specify the governmental body or entity for which you served, indicating length and time of service as well as details concerning job description performed while in the governmental body's employ.

4. Does anyone have any type of contract or association with anyone who works with the United States Attorney, the Department of Justice or the United States?

4.1 If yes, describe the nature and time period of the contract or association.

5. Has any member of the Panel had any contact with or knowledge of any prosecution witness in this case?

5.1. If yes, what is the nature of such contact or knowledge?

6. Has anyone ever been involved in a civil or criminal proceeding?

6.1 If yes, what was the nature and time frame of the involvement?

7. Has any member of this panel served on a Grand Jury or Petit Jury before, either federal, state, county or city?

7.1 If yes, name the type of jury.

7.2 If yes, how long of a period of service did you serve?

7.3 If yes, was a verdict reached?

8. Has anyone ever testified in a criminal case before a Grand Jury?

8.1 If yes, which government agency or department called you to testify?

8.2 If yes, was a true bill returned by the Grand Jury as a result of said testimony?

8.3 Do any of you disagree with the position that the fact that the government alleges the Defendant committed a crime and a grand jury returned an indictment does not mean the Defendant is guilty? Explain if yes.

8.4 Do any of you disagree with the position that the government and a grand jury are not always correct regarding their charges? Explain if yes.

9. Has anyone ever testified in a criminal case before a Petit Jury?

9.1. If yes, which side called you to testify in the case?

9.2 Was a verdict returned in the case, and what was the verdict?

10. Has anyone read any article in any newspaper or other publication of general circulation including postings on the internet, on television, radio, other media forum, or circulations released by the IRS or any other governmental agency concerning conspiracies to defraud the United States, money laundering, willful failure to file income tax returns, filing false tax returns, or tax evasion prosecutions by the United States or other income tax prosecutions?

10.1. If yes, how long ago and to what extent was the nature of the media forum.

11. Has anyone heard or read anything about this case?

11.1 Was what you heard or read something which would indicate the guilt or innocence of the accused?

11.1. If yes, please state the nature of said information, its source and indicate the opinion formed as a result of such information.

12. Does anyone have any business relations with the United States government (including Social Security benefits, Veterans benefits or other Federal government assistance)?

12.1 If yes, what is the nature of such relationship?

12.2 How much monetary assistance do you receive from such benefits or assistance?

13. Do you realize that this case deals with income tax?

14. Do you understand that in this case, the United States intends to introduce evidence showing that the Defendant knowingly filed a false tax return?

15. Do you understand that the United States will also claim the Defendant filed for and paid less taxes than they think she should have reported and paid?

16. Would the fact that you or other citizens receive government benefits and assistance which may be paid for out of the income taxes affect your opinion of the guilt or innocence of the Defendant?

16.1 If your answer is yes, please describe how?

17. Do all of you understand that the Defendant is presumed innocent and the United States must prove its case beyond a reasonable doubt?

17.1 If the United States fails to prove its case, you must acquit the Defendant. Does anyone have any problem with that?

17.2 If the United States fails to prove its case as charged in the indictment but you think they showed some other crime was committed, would you find the Defendant not guilty?

17.3 When you heard that this case had to do with income taxes, how many of you felt that the Defendant must be guilty?

17.4 Do any of you feel that the Defendant must prove to you that she is innocent? Please explain if yes.

18. Do you believe that when the government alleges someone did something wrong, the individual must have done something wrong, even if it wasn't what the government claims?

19. In this case, the United States must prove beyond a reasonable doubt that the Defendant knowingly made a return which was required by law to be filed, that the return she made was materially false, and that she knew the return was materially false.

19.1 If the United States did not prove beyond a reasonable doubt all of the elements of the case, would you find the Defendant not guilty?

19.2 Do you understand that in a tax case, ignorance of the law is a complete defense, and if the Defendant is ignorant of the law she allegedly violated, she must be found not guilty?

19.2 Do you understand that in order for the United States to prove that the Defendant knowingly violated the law, the United States must prove that the Defendant knew of the actual tax law the United States is claiming she violated?

19.3 If the United States fails to prove that the Defendant had actual knowledge of that specific tax law, are you willing to find her not guilty? If not, why not?

19.4 If the United States did not prove beyond a reasonable doubt all of the elements of the case but you believed the Defendant did something wrong or even illegal, would you find the Defendant not guilty? If not, why not?

19.5 Do you understand that the United States must also prove that the Defendant made the return?

19.6 If the United States fails to prove beyond a reasonable doubt that the Defendant made the return as the word made is defined by the law and not by your own understanding, would you find the Defendant not guilty? If not, why not?

19.7 If someone other than the Defendant made the return, are you willing to find the Defendant not guilty? If not, why not?

19.8 Do you understand that the United States must prove beyond a reasonable doubt that the Defendant knew the return was false?

19.9 If the Defendant did not know the return was false, would you find the Defendant not guilty? If not, why not?

20. Do you understand that the United States must prove that the return is a legally required tax form?

20.1 Could you find the Defendant not guilty if the evidence showed that the form was not legally required?

21. Could you acquit the Defendant if you believed, from the evidence proven beyond a reasonable doubt, that she owed taxes she had not paid? If not, why not?

22. Could you find the Defendant not guilty if the United States showed that some person other than the Defendant made gross income and owed income tax, but the United States believes the Defendant is liable for the income tax of that other person? If so, why?

23. Do you understand that anyone can avoid paying taxes as long as they do so legally?

24. Could you find the Defendant not guilty if it appeared to you that she used a legal loophole to avoid owing taxes?

25. Do all of you understand that the Defendant has the absolute right not to testify or present any evidence?

25.1. Could you acquit the Defendant of the charges of willfully preparing and filing a false return if she did not testify in this case?

26. Could you acquit the Defendant of the charges of willfully filing a false return even if Defendant owed the tax as claimed by the United States?

26.1 Do you understand that the Defendant cannot be found guilty just because the United States may prove to you beyond a reasonable doubt that she owes taxes?

27. After you have heard all the evidence in this case and applied that evidence to the law given to you by this Court, if you decide the United States did not prove its case,

will you be willing to stand your ground as you decided, or are you someone that would change their decision either under pressure from other jurors or for the purpose of convenience, such as so you can go home earlier? By this I do not mean that you should not change your vote if you are honestly persuaded that the evidence as applied to the law would require a different vote than your original decision.

27.1 If you began deliberating and you saw that the time to end for the day or the week was fast approaching, and you were standing for the decision that the Defendant was not guilty while others among you were either undecided or stood against your decision, would you be willing to be the sole reason the jury had to come back another day to continue to deliberate? Or, would you decide that since the other jurors have voted one way and you have voted another, that you must be wrong and change your decision?

28. Have any of you ever been the subject of an IRS audit, examination, investigation, or some other IRS action? Please explain if yes.

29. Do any of you think that returning a not guilty verdict for the Defendant could result in the IRS selecting you for an audit in the future?

30. Have you or a member of your family or relatives or friends ever been the victim of an investment or financial fraud?

30.1. If yes, what was the nature of the loss and how did it affect either you or them?

31. Do any of you have any problem with staying alert for a period of time? What about after you have eaten?

32. Do you think that whichever side has the most evidence and witnesses must be right?

32.1 Would you decide the innocence or guilt of the Defendant based on which side presented the most evidence and witnesses?

Respectfully submitted this 5<sup>th</sup> day of July, 2006.

s/ Alan S. Richey  
Alan Stuart Richey  
Counsel for Nadine Griffin, defendant  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY under penalty of perjury under the laws of the United States of America that a copy of the foregoing was served on the following through the ECF/CM electronic filing system:

U.S. Attorney's Office, Christopher Maietta

Dated this 5<sup>th</sup> day of July, in the Year A. D. 2006.

s/Alan S. Richey  
Alan S. Richey